

REMARKS

Reconsideration and allowance of the above-referenced application are respectfully requested. The following comments are responsive to the October 20, 2006 Office Action. Applicants respectfully request reconsideration of the application in view of the following comments.

Response to the Claim Rejections Under 35 U.S.C. § 102

Claims 1-19 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,185,683 issued to Ginter, et al. The rejection asserts that Ginter allegedly teaches each element of the claims.

The claims are directed toward systems and methods for performing automated distribution and billing. The current claims have many elements, including receiving and presenting metadata associated with an application and configuring a catalog associating the metadata in a central repository.

None of the cited art teaches or suggests the invention as claimed. Ginter is not even directed to a similar concept as the present invention. Ginter teaches a system for secure item delivery and execution. Nothing in Ginter teaches an automated distribution and billing system. In the office action, claims 1-19 are simply rejected based on Ginter, and the applicant is directed to the abstract, column 15 lines 34-67, column 16, lines 1-60, and columns 17-32, lines 1-67 **for each element of every claim**. Thus, the same approximately 17 columns of information is generally cited for as 102 art for each distinct element of each claim. According to 37 CFR § 1.104(e)(2), when a reference is complex or shows or describes inventions other than that claimed by the applicant, the particular part relied on must be designated as nearly as practicable. In this case, designating the same 17 columns for each element, especially when the cited art is extremely complex (over 200 drawing sheets and 80 columns), does not rise to the

level of designating a particular part. Thus, if the Examiner disagrees with the Applicants below that Ginter does not apply to the present claims, Applicants respectfully request a new, non-final office action designating as nearly as practicable where each element of the claims can be found in Ginter.

Regardless, Ginter teaches nothing about receiving and presenting metadata, or configuring a catalog associating the metadata in a central repository. The term “catalog” only appears once in Ginter, and that is in column 42, line 25, outside the areas cited in the office action. Even there the concept of configuring a catalog by associating the metadata is not discussed at all, only that an item may be cataloged for later reference.

Further, the term “metadata” also only appears once in Ginter, in column 39, line 18, which is also outside the referenced 17 columns. At this location, Ginter is only saying that TIFF files may have descriptive metadata. Ginter never teaches or suggests receiving metadata associated with an application or associating the application and the metadata in a central depository.

In view of the foregoing distinctions, Applicants respectfully submit that independent Claims 1, 7, 11, 15 and 19 are patentably distinguished over the cited art. Applicants respectfully submit that Claims 1, 7, 11, 15 and 19 are in condition for allowance, and Applicants respectfully request allowance of Claims 1, 7, 11, 15 and 19.

Claims 2-6, 8-10, 12-14, and 16-18 depend either directly or indirectly from one of the independent claims. Each dependent claim further defines the independent claim from which it depends. In view of the foregoing remarks regarding Claims 1, 7, 11, 15 and 19, Applicants respectfully submit that Claims 2-6, 8-10, 12-14, and 16-18 are likewise in condition for allowance. Applicants respectfully request allowance of dependent Claims 2-6, 8-10, 12-14, and 16-18.

CONCLUSION

In light of the amendments contained herein, Applicants submit that the application is in condition for allowance, for which early action is requested.

Please charge any fees or overpayments that may be due with this response to Deposit Account No. 17-0026.

Respectfully submitted,

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